

## **REMARKS**

Initially, in the Office Action, the Examiner has rejected claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0192039 (Xue et al.) in view of U.S. Patent No. 7,280,502 (Allen et al.).

By the present response, Applicant has amended claims 1-8 to further clarify the invention. Claims 1-8 remain pending in the present application.

### **35 U.S.C. § 103 Rejections**

Claims 1-8 have been rejected in a 35 U.S.C. § 103(a) as being unpatentable over Xue et al. in view of Allen et al. Applicant has discussed the deficiencies of Xue et al. in Applicant's previously filed response and reassert all arguments submitted in that response. Applicant respectfully traverses these rejections and provides the following additional remarks.

Allen, et al. discloses that a push-to-talk communication device including an operating answer mode indicates that operating answer mode to a Session Initiation Protocol/Internet Protocol based push-to-talk network server. The method includes employing as the operating answer mode of the push-to-talk communication device one of an automatic-answer mode, an always-automatic-answer mode and a manual-answer mode. A Session Initiation Protocol/Internet Protocol core network is employed including a Session Initiation Protocol/Internet Protocol push-to-talk network server. The operating answer mode is indicated in a Session Initiation Protocol message from the push-to-talk communication device to the Session Initiation Protocol/Internet Protocol push-to-talk network server over the Session Initiation Protocol/Internet Protocol core network.

Regarding claims 1-8, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, *inter alia*, wherein in the silent mode, calls are received at the mobile terminal in manual mode requiring an action at the mobile terminal for a PTT call session to occur and a calling party is notified that the mobile terminal is not in auto-answer mode and must accept before the PTT call session can

occur. The Examiner admits that Xue et al. does not disclose or suggest these limitations but asserts that Allen et al. discloses these limitations at column 2, lines 36-55, column 6, lines 56-67, column 7, lines 1-3 and 65-67, and column 8, lines 1-21 and 40-67. However, these portions merely disclose details regarding a SIP PTT wireless communication device for a terminal being able to support different operating answer modes including an auto-answer mode and a manual-answer mode, and that this can be used with the concept of the network stored authorization access list with per user authorization of the operating answer mode where the handling for the PTT session is determined by a combination of the calling users authorization privilege on the Accept List and the operating answer mode set by the terminal. This is not in a mobile terminal a method of activating or deactivating a silent mode wherein in the silent mode, calls are received at the mobile terminal in manual mode requiring an action at the mobile terminal for a PTT call session to occur and a calling party being notified that the mobile terminal is not in auto-answer mode and must accept before the PTT call session can occur, as recited in the claims of the present application. Allen, et al. merely discloses different operating answer modes of a Push-to-Talk (PTT) communication device. The operating mode is indicated to an IP PTT network server. Neither Allen et al. nor Xue et al. disclose or suggest where in the silent mode, calls are received at the mobile terminal in manual mode requiring an action at the mobile terminal for a PTT call session to occur and a calling party is notified that the mobile terminal is not in auto-answer mode and must accept before the PTT call session can occur, as recited in the claims of the present application. Allen, et al. merely discloses employing an operating answer mode at a device and notifying a server of this mode. Further, as noted in Applicant's previously filed Responses, Xue et al. merely relates to providing a user with the option to query and modify the ignoring of a do-not-disturb for certain reasons.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1-8 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that claims 1-8 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner wishes to discuss any aspects of this amendment, please contact the undersigned at the telephone number indicated below.

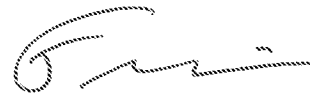
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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Date: March 27, 2008

By: \_\_\_\_\_



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